

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION

TRAVELERS CASUALTY & SURETY
COMPANY OF AMERICA

PLAINTIFF

VERSUS

CIVIL ACTION NO. 2:13cv101-KS-MTP

HUB MECHANICAL CONTRACTORS, INC., *et al.*

DEFENDANTS

ORDER

Before the court is the motion of plaintiff Travelers Casualty & Surety Insurance Company (Travelers) to Stay Proceedings as to George C. Curry and Cindy C. Curry [25]. The court having carefully considered the motion finds that it should be denied.

Travelers seeks a stay against two of the defendants because these defendants claim that they had been removed from the indemnity agreements at issue in this matter. Rather than dismiss these defendants without prejudice, Travelers proposes a stay with the option to have the stay lifted if at any time Travelers obtains information that would warrant proceeding further. The court encourages the parties to find ways to reduce the costs involved in resolving matters, but is concerned that a stay would not accomplish that objective. Restarting the case against two defendants after discovery or other deadlines have run creates the potential for considerable delay and additional expense.

The case management conference in this matter is scheduled for April 1, 2014. Thus, there is sufficient time for the parties to further exchange information in order to determine whether these defendants should be in or out of the case. If the matter cannot be resolved prior to the Case Management Conference, the parties may focus their early discovery efforts on issues relating to these defendants in order that a more definitive resolution might be reached quickly and with minimal expense. Holding the case in partial limbo is, in the judgment of the undersigned, the least

efficient option. The court is not convinced that a stay is warranted on the current record.

This issue may be further addressed at the case management conference if necessary. As for now, the motion [25] is denied without prejudice.

SO ORDERED this the 21st day of February, 2014.

s/Michael T. Parker
UNITED STATES MAGISTRATE JUDGE